

---

---

# JOHN BULL and his Unemployed.

---

---

## A Plain Statement on the Law of England as it affects the Unemployed.

By J. KEIR HARDIE, M.P.

---

ONE PENNY.

---

LONDON:  
THE INDEPENDENT LABOUR PARTY,  
10, RED LION COURT, E.C.

1905.

## FOREWORD.

THE words which follow are not a legal treatise for the guidance of legal minds. They are an attempt to set forth in plain terms the right which Parliament has conferred upon that large section of the poor whom we know as the able-bodied unemployed. They are intended to assist these, and those who stand by them, in courageously asserting their claim to have useful and remunerative employment placed within their reach ; to bring home to their minds the fact that they are being robbed, first by our industrial system in depriving them of the opportunity to work, and next by the State in not enforcing those laws passed to give them that opportunity. The patient endurance of the poor is due to ignorance of what is theirs by right. I want them to be patient no longer. Hence this tract.

J K.H.

# John Bull and His Unemployed.

---

**T**HIS is not a treatise on the causes of, or the remedies for, unemployment. It is a plain and I hope easily comprehended statement of the law of England as it affects the unemployed. The first act quoted was passed 304 years ago, but it has never been repealed, is still good law and may be put in operation any time a Board of Guardians and the Local Government Board decree that it should. The clause quoted deals with two classes of people, the able-bodied poor, who are to be given work, and the sick, aged or disabled poor, who are to be given relief. There is no limit to the extent to which rates may be levied for this purpose, and no restrictions imposed upon the kind of work which may be given.

## THE LAW OF GOOD QUEEN BESS.

“45 Elizabeth, Chapter II.

“An Act for the Relief of the Poor, 1601.

“Be it enacted by the Authority of this present Parliament, That the Churchwardens of every Parish, and Four, Three or Two substantial Householders there, as shall be thought meet, having respect to the Proportion and Greatness of the same Parish and Parishes, to be nominated yearly in Easter Week, or within one month after Easter, under the Hand and Seal of Two or more Justices of the Peace in the same County, whereof One to be of the Quorum, dwelling in or near the same Parish or Division where the same Parish doth lie, shall be called Overseers of the Poor of the same Parish; and they, or the greater Part of them, shall take Order from Time to Time, by and with the Consent of Two or more such Justices of Peace as is aforesaid, for *setting to work* the Children of all such whose Parents shall not, by the said Churchwardens and Overseers, or the greater Part of them, be thought able to keep and maintain their Children; and also for *setting to work* all such Persons, married or unmarried, having no means to maintain them, and use no ordinary and daily Trade of Life to get their living by; and also to raise weekly or otherwise (by Taxation of every Inhabitant, Parson, Vicar, and other, and of every Occupier of Lands, Houses, Tithes Impropriate, Propriations of Tithes, Coal Mines or saleable Underwoods in the said Parish, in such competent Sum and Sums of Money as they shall think fit,) a convenient Stock of Flax, Hemp, Wool, Thread, Iron, and other Ware and Stuff to *set the Poor on Work*; and also competent Sums of Money for and towards the *necessary Relief* of the Lame, Impotent, Old, Blind, and such other among them being Poor, *and not able to work*; . . . . and to do and execute all other Things, as well for the disposing of the said Stock, as otherwise concerning the Premises, as to them shall seem convenient; . . . . upon pain that every one of them absenting themselves without lawful Cause as aforesaid from such monthly Meeting for the Purpose aforesaid, or being negligent in their Office or in the Execution of the Orders aforesaid, being made by and with the Assent of the said Justices of Peace or any Two of them before mentioned, to forfeit for every such Default or Absence or Negligence Twenty Shillings.”

The foregoing is the foundation upon which the English Poor Law has been reared. In 1694 a State paper was issued giving Justices of the Peace power to come to the aid of over-ridden parishes by spreading the tax over an entire county for the benefit of any particular parish. In 1819 the Act 59, Geo. III., chap. 12, was passed. It deals with various matters relating to the Poor Law, and after reciting the Act of Elizabeth, as quoted above, proceeds to say (Clauses 12 and 13):—

“And whereas by the Laws now in force sufficient Powers are not given to the Churchwardens and Overseers, to keep such Persons fully and constantly employed; be it further enacted, That it shall be lawful for the Churchwardens and Overseers of the Poor of any Parish, with the consent of the Inhabitants thereof in Vestry assembled, to take into their hands any Land or Ground which shall belong to such Parish, or to the Churchwardens and Overseers of the Poor of such Parish, or to the Poor thereof, or to purchase or to hire and take on lease for and on Account of the Parish, any suitable Portion or Portions of Land within or near to such Parish, not exceeding Twenty Acres in the whole; and to employ and set to work in the Cultivation of such Land, on account of the Parish, any such Persons as by Law they are directed to set to work, and to pay to such of the poor Persons so employed as shall not be supported by the Parish, reasonable wages for their Work; and the poor Persons so employed shall have such and the like Remedies for the Recovery of their Wages, and shall be subject to such and the like Punishment for Misbehaviour in their Employment, as other Labourers in Husbandry are by Law entitled and subject to.”

“Provided, and be it further enacted, That for the Promotion of Industry amongst the Poor, it shall be lawful for the Churchwardens and Overseers of the Poor of any Parish, with the Consent of the Inhabitants in Vestry assembled, to let any Portion and Portions of such Parish Land as aforesaid, or of the Land to be so purchased or taken on Account of the Parish, to any poor and industrious Inhabitant of the Parish, to be by him or her occupied and cultivated on his or her own Account, and for his or her own Benefit, at such reasonable Rent and for such Term as shall by the Inhabitants in Vestry be fixed and determined.”

Here again it will be noted a broad and clear distinction is drawn between the “poor and industrious” unemployed, who are to be set to continuous work at “reasonable wages,” or to whom land is to be let at a “reasonable rent,” and the helpless poor who are to be “supported by the parish.” It is also worth noting that women are included with men in the foregoing enactment.

In 1831-2 further enactments were passed, empowering the Poor Law Authorities to acquire land in various ways, and the 20 acres mentioned in the last quoted Act was increased to 50 acres. Part at least of the land so acquired was to be let in allotments of not less than one fourth or more than one whole acre to such “poor and industrious” or “such industrious cottagers of good character, being day labourers or journeymen, as should apply for the same and who undertook to cultivate the land in such a manner as to preserve the land in a due state of fertility.” Evidently these last were not paupers supported by the parish.

## Is the Law Obsolete?

It is frequently alleged by Clerks to the Guardians and others that the law, as set forth above, is obsolete, and could not

now be put in force. The obvious retort to that is, that a law once enacted remains operative until it has been repealed, and these Acts have never been repealed. But this is no mere matter of opinion. Three Presidents of the Local Government Board, Sir Henry Fowler in 1895, Mr. Walter Long in 1903, and Mr. Gerald Balfour in 1905, have all stated in reply to questions put by me that these Acts are still operative. Here, for example, is an extract from Hansard's record of the House of Commons proceedings for July 19th, 1905, which puts the matter beyond doubt:—

**Mr. Keir Hardie**—I beg to ask the President of the Local Government Board whether, seeing that under the Act 42 Elizabeth, c. 12, and subsequent Acts, Boards of Guardians may, with the consent of the Local Government Board, acquire 50 acres of land in each parish upon which to set the able-bodied poor to work, and to pay them reasonable wages for their work, he will call the attention of Boards of Guardians to these enactments, and suggest their application as a method of relieving the rates from the burden of maintaining able-bodied men and women in idleness?

**Mr. Gerald Balfour**—The enactments referred to have for many years been considered as obsolete, and have not been acted upon by Boards of Guardians since the passing of the Poor Law Amendment Act, 1834. I could not undertake to comply with the suggestion of the hon. member that the attention of Boards of Guardians should be called to them.

**Mr. Keir Hardie**—The right honourable gentleman says these enactments are obsolete, but could not any legal authority put them into operation if it choose?

**Mr. Gerald Balfour**—There would be nothing illegal in so doing; but if I were, as requested, to call attention to them, it might be thought I was advising that they be enforced.

## Emigration.

Before departing from the provision made in the Poor Law for the relief of the able-bodied, I may call attention to an almost forgotten proposition relating to emigration. What it is will be best seen by the following question and answer, which will be found in Hansard for March 2nd, 1905:—

**Mr. Keir Hardie**—I beg to ask the President of the Local Government Board whether, seeing that under the Act 12 and 13 Victoria, c. 103, s. 20, Guardians were empowered, with the consent of the Local Government Board, to spend one-half the average yearly poor raised in the parish in emigrating destitute persons at a cost not exceeding £10 per head, he will say whether these powers have ever been repealed; and, if not, he will call the attention of the Metropolitan Boards of Guardians to the Act, and recommend them to work in conjunction with the Central Unemployed Committee in selecting destitute applicants who desire to be emigrated?

The President of the Local Government Board (Mr. Walter Long) —The sec. referred to has not been repealed, though the effect of subsequent enactments has been to modify its provisions. A Board of Guardians may, however, assist in emigrating poor persons belonging to the union, and I am now considering the question of recommending the making of arrangements between the Metropolitan Boards of Guardians and the Central Committee, with a view to aiding emigration in suitable cases.

These laws are still unrepealed; they constitute the *Magna Charta* of the poor of England. They not only recognise the duty of the State to provide work for the landless, workless poor, but they confer upon the Authorities full and ample powers for giving effect to this duty. It was because of this that the

Radical manufacturers, desirous of filling their mills with cheap labour, and finding the Poor Law their greatest obstacle, made its repeal or modification their first business after their enfranchisement in 1832. It is a noteworthy fact that the last enactment for the humane administration of the Poor Law should have been passed in 1832, the year of the Reform Bill. Thenceforward and on until now humanity towards the poor has had to give way to the ruthless spirit of commerce.

## DISFRANCHISEMENT.

The enforcement of these old laws rests entirely with the Boards of Guardians and the Local Government Board. Whether or not work provided by Guardians under the old Acts entails disfranchisement upon the recipient, could only be answered in a court of law. The Local Government Board assumes that it would ; but the Local Government Board assumes a good deal for which there is no justification in law. The question turns entirely upon the interpretation which the Courts would place upon Clause 55 of the Reform Act of 1832, wherein it is set forth that no person shall be entitled to be registered as an elector " who shall have within 12 calendar months. . . . received parochial relief." My contention is, and did space permit I would be prepared to elaborate it, that work or allotments provided as set forth above to poor and industrious persons who are " not being supported by the parish," is not parochial relief, and that consequently no disfranchisement should follow ; and in this I am backed up by such legal opinion as I have been able to consult.

## The Relief of Destitute Children.

The effect on the children is such a vital part of the problem of unemployment that it is necessary to treat of it separately. The following is a brief statement of the law as it applies to the relief of children who lack the necessities of civilised life.

It was decided in the *Merthyr Tydvil Case* of 1900 that children in want of the means of life must be relieved by the Guardians. The facts were that the colliers of that district had declared a strike, and whatever were the merits of the case, their children were starving ; and the Guardians very rightly relieved them with food and money. But one of the Coal Companies brought an action, as ratepayers, objecting to the relief being granted. That children were starving was nothing to the directors and shareholders as compared with a rise in the rates. But they had to pay their rates, for the Court of Appeal decided that it was the duty of Guardians to grant relief to all destitute children, whatsoever might be the cause of their poverty. The Judge said : "The Poor Laws impose on the comparatively well-to-do the duty of supporting those who, by reason of their poverty, cannot maintain themselves." In brief, if it be brought

to the knowledge of the Poor Law Officers that a child is destitute of the necessities of life, that child must on demand be relieved under the Poor Law out of the rates. Of course, the law having been made by landlords and capitalists, they have taken care that the fathers shall lose their votes as the price of keeping their children alive. It is Shylock's pound of flesh. It is important to note that it is in the power of the Guardians to decide what is "*destitution*"; if they please to have a high standard of "necessaries," so much the wiser of them.

Such was the existing law when the Local Government Board issued *The Relief (School Children) Order, 1905*. This order (which only applies to children in attendance at a Public Elementary School, and does not apply to any of such children who are blind, deaf and dumb, or to those living away from their father, or to those whose father is already in receipt of relief) provides that a special application for the relief of poor destitute children may be made to the Guardians or the Relieving Officers by any of the following persons:—(1) The Managers of a Public Elementary School; (2) any teacher who is so directed by the managers; (3) any officer appointed for that purpose by the Local Education Authority. If the case be of *urgent necessity*, any relief which the Guardians grant must be considered as given by way of loan to the father, and the father of the child must be informed that it has been so given. If the case be *not of urgent necessity*, then the Guardians must endeavour to discover if the father is habitually neglecting his child; and if they are satisfied that the destitution of the child is because of the father's habitual neglect, then any relief granted *must* be on the understanding that it is a loan which the father must repay. But if they find that there is no habitual neglect, then the relief given can be by way of loan or as ordinary relief as the Guardians please. Whenever the Guardians, under this Order, grant relief by loan, they must take proceedings to recover the cost from the father; unless they obtain the Local Government Board's consent to the proceedings being stopped.

What then is the actual effect of this Order of the Local Government Board which allows relief to be granted to children by way of loan to the father? We have seen that the Guardians already must relieve destitute children by the way of ordinary relief. In what way does the loan differ from the ordinary relief? The father is by law responsible for the cost of ordinary relief, and he loses his vote whenever such relief is granted to his child. Under the new Order the father can be made to pay the cost of the relief, and the President of the Local Government Board declared last session, in answer to Mr. Keir Hardie, that relief by way of loan caused the father to lose his vote, in the same manner as if it were ordinary relief. If this be a correct statement of the law we may well wonder why the new Order is supposed to be of any benefit to the poor. Indeed, instead of aiding the parent and the starving child, it appears merely to devise new methods of

recovering the money from the father. Under the old law the cost of the relief cannot be recovered after twelve months : by the new Order it can, apparently, be recovered from the father at any time within six years. But, as a matter of fact, it is by no means certain that the law is as the President stated. At the very least, it is an uncertain point whether relief by way of loan disfranches the recipient. The cases on the subject are few, and so far as they go they lay it down that a loan does not destroy the right to vote. This matter might easily be settled by a test case in the law courts, either by the Guardians refusing to report a parent out of work because his child had been fed, or by someone so reported defending his vote.

To sum up, the Guardians are bound to grant relief to any destitute child placed in their care ; under the old law in all cases ; and under the new Order in the case of application by the special persons mentioned above. The Order, indeed, merely suggests new methods of procedure, and does not give any new right to relief. Its main value consists in the fact that it directs the attention of Guardians to their powers and responsibilities towards destitute school children, and empowers them to give out relief in some cases where it would otherwise have been legally necessary to make the child recipient enter the workhouse.

### Summary.

The powers held and open to be exercised by Guardians for dealing with the Unemployed can be summarised thus :—

- (1) Levy a rate with which to open workshops wherein to set the unemployed to work at reasonable wages. Men and women so employed to have all the rights of ordinary workers as to the recovery of wages in a court of law, &c.
- (2) Acquire land—at least fifty acres for each parish—which may be let at a reasonable rent, in allotments of one-fourth to one whole acre, to any approved applicant in the parish.
- (3) Spend one half their income in emigrating the able-bodied unemployed.
- (4) Co-operate with the local educational authority in providing meals for destitute children.

With these facts before us it will be seen how ridiculously absurd is the oft-repeated statement that the Unemployment Act is a new departure in the law of England.

### The Unemployment Act, 1905.

The descriptive title of the Act is "An Act to establish an organisation with a view to the provision of employment or assistance for unemployed workmen in proper cases." We shall see later on how this promise is kept. All its provisions apply to women in exactly the same way as to men, and wherever the term men is used it includes women.

Under this Act—which expires on the 11th August, 1908, unless renewed—an authority for its administration must be set up in every municipal borough and urban district in Great Britain and Ireland with a population exceeding 50,000.\* In a borough or urban district where the population is under 50,000, but over 10,000,† the Local Government Board may establish one of these authorities on the application of the borough or district council. On the application of a council or board of Guardians, or where necessary, without such application, the L.G.B. may set up a Distress Committee for a county or part of a county.

## MACHINERY.

In the case of London each borough has a distress committee, with a central body for the entire area of the metropolis; in boroughs outside London, with a population exceeding 50,000, the powers of the Distress Committee and Central Body are vested in one body. In County areas, where the Act is applied, the London model is to be followed with local adaptations. Distress Committees and Central Bodies are to be composed in part of Councillors, part of Guardians, and a part, not exceeding one fourth, of co-opted members “experienced in the relief of distress.” Once formed the Central Body in London is an entirely independent unit of administration, and is under no obligation to report its proceedings to the Borough Council or the Guardians. The new Body may make what regulations it chooses as to the tenure of office of the co-opted members, but Guardians and Councillors cannot be deposed from office in the new Body so long as they are Guardians or Councillors. The officers and the officials of existing Authorities should as far as possible be used for the purposes of the new Act so as to keep down the cost of administration. Where new appointments require to be made the engagement should be for not more than three years, so as to avoid all questions of compensation for loss of office if the Act lapses in 1908. At least one member of the Distress Committee and Central Body must be a woman; as many more may be as can get selected either from among the Guardians or the co-opted members.

The new Authority must make arrangements for making themselves acquainted with the conditions of labour within their area, and for this purpose they may assist, establish, or take over—labour exchanges and employment registries, and further, they may seek enlightenment by the collection of information and “otherwise as they think fit.” These words are wide and leave the new authority very wide discretionary powers as to their method of procedure. No person, male or female, who has not resided

\* In Ireland 10,000.

† Ireland 5,000. By what appears to be a slip burghs in Scotland—Royal, parliamentary, or police—must have a population of 20,000 to enable them to adopt the Act.

for at least 12 months in the district is entitled to any consideration at the hands of the new Authority. The Distress Committee may, if ordered by the Central Bdy (in boroughs and districts outside London with a population exceeding 50,000, there is one body which has all those power conferred upon it, under the title of Distress Committee) "receive, enquire into and discriminate between applications made to them from persons unemployed." As sub-sections three and five of section 1 are important I quote them entire :

(3) If the Distress Committee are satisfied that any such applicant is honestly desirous of obtaining work, but is temporarily unable to do so from exceptional causes over which he has no control, and consider that his case is capable of more suitable treatment under this Act than under the poor law, they may endeavour to obtain work for the applicant, or, if they think the case is one for treatment by the Central Bdy rather than by themselves, refer the case to the Central Body, but the Distress Committee shall have no power to provide, or contribute towards the revision of, work for any unemployed person.

(5) The Central Body may, if they think fit, in any case of an unemployed person referred to them by a Distress Committee, assist that person by aiding the emigration or removal to another area of that person and any of his dependents, or by providing, or contributing towards the provision of, temporary work in such manner as they think best calculated to put him in a position to obtain regular work or other means supporting himself.

The funds for the working of the Act are to be raised by

(a) Voluntary Contributions.

(b) Contributions made on the demand of the Central Body by the Borough or District Council, or a district of county as the case may be, but in no case must the contributions from Council in any year exceed the amount which would be produced by a rate of one halfpenny in the pound, or such higher rate, not exceeding one penny, as the L.G.B. may approve.

The money received from the rates can only be spent on the official costs, labour exchanges, migration, emigration, or "the acquisition of land for the purposes of this Act." Everything else has to be paid for out of the voluntary contributions. We shall see later on how this works out.

County or Borough Council which do not adopt the Act are under obligation to appoint a special committee one fourth co-opted, to collect information about the condition of labour in the same manner as the Distress Committees as described above. The charge of this falls upon the County or Borough rate. Scotland and Ireland are both exempted from this proviso, unless where it is expressly ordered by the L.G.B. for these countries.

By Section IV. of the Act the L.G.B. is empowered to frame regulations for giving effect to the various provisions, and these are binding upon the new authorities until repealed. All such regulations must be laid before Parliament without delay. These regulations have now been issued. Let us now turn to them and note how the L.G.B. has interpreted the provisions of the Act.

## The Regulations.

The Local Government Board Regulations for the administration of the Unemployed Workmen Act a bitterly disappointing document.

Every line of it has C.O.S. stamped across its face. The intention which underlay the original draft of the Bill to provide assistance for the genuinely unemployed workman has been completely lost sight of, and the whole of the degrading and hateful methods of the worst form of Poor Law administration have been set up instead. Destitution and not unemployment is apparently to be the test as to whether an applicant is to be assisted under the Act. A whole army of Paul Prys are to be called into being and empowered to poke their noses into the affairs of decent people, and unless a person out of work can show the rudiments of angels' wings already in the sprouting stage, he or she may go hang for anything the Act will do for them. There is not a touch of human feeling within the four corners of the newly-issued document, whilst the provisions of the Act itself have either been narrowed down, or, and I say this quite deliberately, misinterpreted so as to prevent its being of use to those for whose benefit it was originally intended. The regulations will have a history.

Under Article II. of the Regulations it is laid down that applicants for employment shall make their application in person to an officer, member, or any other person authorised by the Distress Committee to receive and investigate applications. He has to reply to a long series of questions to enable his record to be compiled. If he makes a false or wrong statement on any point, that may be held to be an unpardonable offence, and he may thereupon be struck off the list of those entitled to receive help. When he has made his statement :—

“ An officer, a member or any other person who is duly authorised shall visit and make inquiries at the home of the applicant for the verification of his statements, and may also seek verification from the Guardians, or any other body, authority, or person, able to supply useful information with respect to the applicant.”

When all this has been done the case of the applicant (if he is still alive !) is to be reported to the Distress Committee on a record paper, of which a form has been prepared, and the Distress Committee having satisfied itself that the applicant is of good character, that he has not sufficient means to maintain himself and his dependents, that he has been regularly employed for a continuous period of 12 months at the least, and has been “ well-conducted and thrifty,” that he has not received Poor Law relief during the preceding 12 months, other than medically, that he has a “ wife, child, or other dependent,” “ that he is able to work,” that in “ other respects his case is a fit and proper one ;” then his case “ shall be treated by the Distress Committee in preference to cases of a different character.”

It is thus that the Distress Committees are empowered to help the poor, hapless applicant who is “ honestly desirous of obtaining work, and temporarily unemployed through causes over which he has no control,” which is the wording of the Act itself.

## The Record.

Here is the prescribed form for the Record of each applicant for work as given in the Regulations, and which is to be carefully preserved by the Central Body :—

1. Name of applicant.  
Surname.  
Christian name.
2. Present address in full, and duration of residence thereat.
3. Preceding address or addresses in full, and duration of residence thereat.
4. Age.
5. Trade, calling, employment, or occupation.
6. Condition (married or single, widow or widower).
7. Children or other dependents :—  
Children—Number, ages, sex, trade, calling or occupation (if any).
8. Actual rent and number of rooms in applicant's tenancy.  
No. of rooms sublet (if any).  
Deduct rent for rooms sublet.  
Arrears of rent.
9. Nature and duration of applicant's last employment.  
Full name and address of employer.  
Name of foreman.
10. Date and cause of termination of applicant's last employment.
11. Rate of wages and average weekly earnings received by applicant in last employment.
12. Particulars of other employment of applicant during last five years.  
Full names and addresses of employers.  
Names of foremen.
13. Present income of applicant and dependents :—  
Earnings of applicant.  
    ,, of wife.  
    ,, children.  
    ,, other dependents.  
Receipts from club or society, charitable sources, other sources.
14. Relief :—If no relief has been received by applicant or any of his dependents.  
If relief has been received by applicant or any of his dependents.  
Date of last receipt.  
From what Poor Law Union.
15. Particulars of membership past or present of trade or other provident society.
16. Applicant's prospect of obtaining regular work or other means of supporting himself.
17. Applicant's fitness :—  
For work on land in rural area.  
For change of occupation.  
Particulars of previous experience (if any).
18. Reference to responsible persons, full names and addresses.

Reading the above one might imagine that it was a certificate of character by an applicant for the post of Archbishop of Canterbury, with its remuneration of £15,000 a year. The unemployed will not, I feel certain, either fill in such forms or admit the new Paul Prys to their houses. We neither live in Russia nor Germany, and will have none of their bureaucratic, inquisitorial methods thrust upon us by a Government Department. The one and only test needed under the Act is that a man is "honestly desirous of obtaining work." If he is, then let work be found for him, if he is not, then by all means let him be handed over to such authorities as may be best fitted for dealing with his case. But work first: by that test let the unemployed stand or fall.

## Emigration and Migration.

Having been thus classified, catalogued, dissected, and examined under the microscope as if he were some strange,

weird specimen of a dangerous bug, the applicant's name is to be passed on to the Central Body, where a fresh enquiry may be ordered. Everything about the Record having been found in perfect order, the Central Body may now deal with the man.

Under Article III. of the Regulations, as I have all along alleged would be the case, Emigration occupies the place of honour amongst the measures of relief. The conditions upon which people may be emigrated may be learned on application at the nearest Labour Bureau. Article IV. deals with migration,—the removal of an applicant to another part of the country. Here it is laid down that an applicant can only be aided to remove "to an area within the limits of England and Wales." As the Act applies to Ireland and Scotland, as well as England and Wales, it is difficult to understand the reasons for this limitation. Before aiding his removal the Central Body is to satisfy itself that at least 12 months' regular employment, with suitable dwelling accommodation, are reasonably assured at the place of destination. Here, as in the case of the Aliens' Act, there is nothing to hinder men being sent under contract to take the place of workmen during a Trade Dispute, and this is a matter which will need careful watching. The new Act must not be allowed to become an agency for the supply of blacklegs.

### **Remuneration.**

The applicant, having stood the test of the riddle of the Distress Committee and the small sieve of the Central Body, may, if neither migrated nor emigrated, have work provided for him for not more than 16 weeks for two successive years. The work may be either on a Farm Colony or on any undertaking by a public body. The regulations under this head (Article V. of the Order) are fairly passable until we come to (f), which deals with wages. Work must be continuous to the extent, at least, that it must be given "during a period, or a succession of periods, comprising in each case four consecutive days at least." If work is provided in such a way that the person can return home each evening, the pay is to be fixed on the basis of an unskilled labourer's wages in the district where he works, but if he requires to live away from home, the wages are still to be fixed by those which obtain in the district in which his home is situated. I think, on the whole, this is a good arrangement. But when we come to the amount of the remuneration we are at once face to face with what looks like a bad breach of faith. The original Bill contained a clause dealing with wages, which set forth that the total remuneration to be paid should be less than that which could be earned by an unskilled labourer working at his ordinary employment. Over and over again, both in public and in private, Mr. Gerald Balfour explained that his intention was that the full standard rates of pay should be given for the time worked, but that the working time should be so arranged that the total earnings would be less than the normal. Strong

objection was taken to the clause, on the grounds that it took labourers' wages as the standard, whereas many of the unemployed are skilled artisans and are frequently set to work at their own trade by the Borough Council. Painters are a common case in point. The clause was finally withdrawn on the understanding that it would be dealt with in the Regulations, where it now appears in an even more objectionable form. The new words are—"the total remuneration . . . for any given period of continuous work shall be less than that which would under ordinary circumstances be earned by an unskilled labourer for continuous work *during the same period*." The sting is in the last four words, which seem to imply that the rate per hour or per day, must be below the standard. If this be so then it is a breach of faith, the breaking of a pledge repeatedly given, and cannot be allowed to stand as it is. Further, to offer painters, joiners, engineers, or the like, who are found work at their trade, less than the wages of an unskilled labourer is not the kind of thing which any public body in the present state of public opinion, can either tolerate or countenance.

## Summary.

To sum up,—

1. Work of a temporary character may be provided by a central body, but not for more than 16 weeks in any one year, nor for more than two years in succession.
2. Such work must "have for its object a purpose of actual and substantial utility." Emptying a draw-well with a sieve would not come within this category.
3. The employment must be for "four consecutive days at least," which is a good point; and the man must be given reasonable facilities to search for regular employment.
4. Where work is given away from home, a portion of the remuneration may be handed over by the committee to the wife or other dependent.
5. The total remuneration "shall be less than that which would under ordinary circumstances be earned by an unskilled labourer for continuous work during the same period in the place at which the work is provided." If work is provided in a district which necessitates the man living away from home, the remuneration is to be fixed by the standard obtaining in the district in which his home is situate and not be that of the district in which the work is provided.
6. A Central Body may contribute towards the cost of work if it is being undertaken by a public authority with intent to benefit the unemployed, but in that case all these regulations in respect to wages, &c., apply.

## Farm Colonies.

I now come to the farm colonies. All the regulations anent the provision of work apply to these, and have indeed been obviously framed

to meet the case of those who require to go to one of them for work. Money may be borrowed for the purchase of land for a farm colony on the security of the penny rate. But before doing anything in this matter the Central Body must submit its proposals to the Local Government Board, and satisfy that authority that it will be able, by voluntary contributions or otherwise—but not from the rates—to meet

“All expenses which will be incurred . . . in connection with the establishment, maintenance, and working of the farm colony, the remuneration, maintenance, and accommodation of persons employed, the payment of rates, taxes, or assessments, or for any other purpose in relation to the farm colony.”

Nothing, it will be seen, is to be left to chance. The hat is to be sent round to pay the rates and taxes on a piece of land bought, or leased, by public money, and administered by an authority empowered to act by Act of Parliament. This is how the self-respect of the working classes is to be safeguarded, and the charity of the charitable stimulated. The thing is a farce, though it may end in tragedy. The income from the sale of produce, etc., arising from the working of the farm colony is to be reckoned as a voluntary contribution to the Central Committee, and will be available for the payment of the various items set forth above.

### Criticism and Suggestion.

Such is the gist of the new Regulations. I hope the new authorities will point-blank refuse to administer them until given a freer hand in dealing with applicants, or at least ignore the regulations, by breaking them whenever necessary. One of the chief values of such a measure as the Unemployment Act should have been that it would have enabled local authorities to try experiments as to the best methods of dealing with the problem. But under the Regulations, everything is of the cast iron order, the evident intention is to make the Act unworkable. It is a wicked foolish policy, and it won't succeed.

From this brief survey of the state of the law it will be seen how superior in every sense is the old method of dealing with the unemployed when compared with the new. The effect of the restrictions and limitations imposed by the Act itself, and even more so by the Regulations of the L. G. B., make it more a measure for ascertaining the extent of unemployment than for providing work for the unemployed. It does not contain one single provision that is new, and the most that can be said for it is that it systematises charitable effort. The financial provisions are totally inadequate for the needs of the case, and there should be a united demand go forth that the local penny rate be supplemented by grants from the National Exchequer. There is no provision for this in the Act, but a willing Government would doubtless find a way. One million a year from the Exchequer would never be missed by the Nation, and would be of incalculable benefit to the Unemployed and to the authorities who have to administer the new Act. Apart from this, and to meet immediate needs, there is always the method of voting a salary to the Mayor open to those Councils which find their Distress Committees ham-

pered by lack of funds. Profits made by such municipal undertakings as trams and the like are a more doubtful source, but no harm could come of putting the matter to the test by voting a sum from this source as a "voluntary" contribution. If Parliament, in its wisdom, will so tie up local authorities as to hamper their freedom of action in dealing with local matters, then localities must assert themselves by over-riding the law if need be. A judge recently did this in the matter of Building Bye-laws; much more should a Corporation in the matter of the unemployed.

In addition to financial grants from the State Exchequer, Parliament should be asked to confer much fuller powers on the new authorities. A Bill of one clause transferring to the new authorities the very ample powers now possessed by Boards of Guardians for dealing with the unemployed would be something worth having. The same result would be attained if the penalty of disfranchisement was definitely abandoned in the case of work provided for the unemployed by Boards of Guardians. Finally, Parliament itself must be forced to assist localities by putting in hand, on a national scale, such works of public utility as may be found to be needed. Work, not charity, is the demand of the unemployed, and which, in one way or another, the State must be prepared to meet.

To prevent misapprehension, I may add that the new Act in no way lessens or weakens the powers hitherto possessed and used by borough and district councils for putting work in hand during the winter months or to tide the unemployed over a period of exceptional distress. The powers contained in the new Act are supplementary to any which were already in existence at the time of its enactment. That all powers, old and new alike, will be needed is a truth which will force itself home upon the national mind in time, for it is certain that the unemployed are with us to stay until some method of industry be evolved which will not turn the over-production of wealth into a weapon for smiting the producers. Unless John Bull grapples vigorously with the problem it will undoubtedly undermine the stability of the nation and ultimately lead to its downfall. It is upon manhood that nations are built, and manhood is destroyed by unemployment.